



*115 Receipt*

PATENT  
Attorney Docket No.: DIVER1510-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short

Art Unit: 1632

Serial No.: 09/677,584

Examiner

COPY OF PAPERS  
ORIGINALLY FILED

Filed: September 30, 2000

Title: WHOLE CELL ENGINEERING BY MUTAGENIZING A SUBSTANTIAL  
PORTION OF A STARTING GENOME, COMBINING MUTATIONS, AND  
OPTIONALLY REPEATING

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,  
please find the following:

- (1) Request for Corrected Filing Receipt; (2 pgs)
- (2) Copy of Filing Receipt reflecting changes; (3 pgs) and
- (3) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are  
being deposited with the United States Postal Service as first class  
mail on this date, 1-23-02, in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

*Yinian Naylor*  
(Name of Person mailing Paper)

*[Signature]*  
(Signature of Person Mailing Paper)

1-23-02  
Date

In re Application of:

Jay M. Short

Application No.: 09/677,584

Filed: September 30, 2000

Page 2

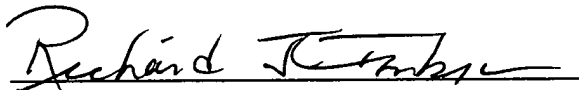
PATENT

Attorney Docket No.: DIVER1510-1

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

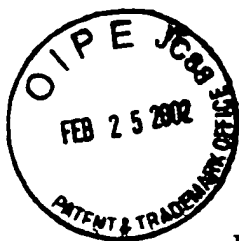
Respectfully submitted,

Date: January 23, 2002

  
Richard J. Imbra  
Registration No. 37,643  
Telephone: (858) 677-1496  
Facsimile: (858) 677-1465

**USPTO CUSTOMER NO. 28213**

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133



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Washington, D.C. 20231

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, 1-23-02, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Gina Nayar  
(Name of Person mailing Paper)

[Signature]  
(Signature of Person Mailing Paper)

1-23-02

Date

In re Application of:

Jay M. Short

Application No.: 09/677,584

Filed: September 30, 2000

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PATENT  
Attorney Docket No.: DIVER1510-1

Please add in the Continuing Data the following Priority Information —**THIS APPLICATION IS A CIP OF 09/594,459 FILED JUNE 14, 2000, WHICH IS A CIP OF 09/332,835 FILED JUNE 14, 1999—**.

This application is entitled to Small Entity. Please add —**SMALL ENTITY—**.

**COPY OF PAPERS  
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Applicant accordingly requests the correction be made of record.

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

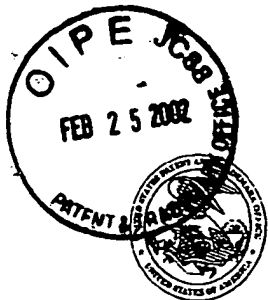
Respectfully submitted,

Date: January 23, 2002

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Richard J. Imbra  
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GRAY CARY WARE & FREIDENRICH LLP  
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San Diego, California 92121-2133



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/677,584	09/30/2000	1632	0	DIVER1510-1	28	22	4

Lisa A. Haile  
Gray Cary Ware & Freidenrich LLP  
4365 Executive Drive, Suite 1600  
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## FILING RECEIPT

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GRAYCARY/GT PATENT

Date Mailed: 12/04/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jay M. Short, Rancho Santa Fe, CA ;

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/594,459 FILED JUNE 14, 2000  
WHICH IS A CIP OF 09/332,835 FILED JUNE 14, 1999

## Foreign Applications

If Required, Foreign Filing License Granted 11/30/2000

ADD: SMALL ENTITY

## Title

Whole cell engineering by mutagenizing a substantial portion of a starting genome, combining mutations, and optionally repeating

## Preliminary Class

435

Data entry by : SARWARI, HOMA

Team : OIPE

Date: 12/04/2000



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

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Respectfully submitted,

Date: \_\_\_\_\_

5/2/01



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